

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMIAH HERBERT,

Plaintiff,

-against-

CAPTAIN JAMES GINTY, et al.,

Defendants.

ORDER

20-CV-06348 (PMH)

PHILIP M. HALPERN, United States District Judge:

Counsel for all parties appeared in Courtroom 520 for an in-person pretrial conference on October 2, 2023. This matter has been scheduled for trial to begin on January 22, 2024. All parties and counsel shall therefore appear on January 22, 2024 at 9:00 a.m. in Courtroom 520 of the courthouse located at 300 Quarropas Street, White Plains, New York 10601, unless notified of an earlier trial date.

As discussed on the record, this matter continues to be slated as backup to the Court's presently scheduled jury trials on October 10, 18, and 30, 2023, and is now designated as the secondary backup case that may proceed in place of the primary and backup cases scheduled for December 4, 2023. The parties continue to be on five days' notice of trial. The Court will endeavor to notify the parties promptly of such an earlier trial date.

The Court denied the parties' proposed *voir dire* Question No. III(1). The parties shall review the proposed *Voir Dire* Questionnaire Form provided by the Court during the conference and file, by October 10, 2023, a joint letter informing the Court as to any objections or additions thereto. Three exhibit binders containing the parties' exhibits, and an index listing the content of the binders shall be produced to the Court by October 10, 2023. For the reasons stated more fully on the record, the Court sustained Plaintiff's objections to Defendants' proposed exhibits C, D,

and E. Provided a proper foundation is laid and to the extent relevant, those documents may be used to refresh recollection.

With respect to the issue of DOCCS compliance with the Writ, the Court directed counsel to keep the Court apprised of the status.

See Transcript.

SO ORDERED:

Dated: White Plains, New York
October 2, 2023



PHILIP M. HALPERN
United States District Judge